

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RALPH S. JANVEY, in his Capacity as
Court-Appointed Receiver for the Stanford
Receivership Estate, THE OFFICIAL
STANFORD INVESTORS COMMITTEE,
and SAMUEL TROICE
and MANUEL CANABAL,
on their own behalf and on behalf of a class
of all others similarly situated,

Plaintiffs,

VS.

WILLIS OF COLORADO INC.,
WILLIS LTD.,
WILLIS GROUP HOLDINGS LTD.,
WILLIS NORTH AMERICA, INC.,
AMY S. BARANOUCKY,
BOWEN, MICLETTE & BRITT, INC.
and ROBERT S. WINTER,

Defendants.

CIVIL ACTION NO. 3:13-cv-3980

**AGREED STIPULATION REGARDING
SERVICE OF PROCESS AND BRIEFING DEADLINES¹**

WHEREAS, plaintiffs filed their First Amended Complaint in this action on November 15, 2013, adding Bowen, Miclette & Britt, Inc. and Robert S. Winter as additional defendants. Defendants have not been served with process;

WHEREAS, plaintiffs wish to avoid the time and expense of effecting service of process upon defendants Bowen, Miclette & Britt, Inc. and Robert S. Winter;

¹ By entering into this stipulation, defendants specifically preserve and do not waive any and all rights, including with regard to making further scheduling applications with the Court, and any and all other applicable defenses, including those contained in Rule 12 of the Federal Rules of Civil Procedure, and plaintiffs reserve the right to oppose any such scheduling applications filed by defendants.

WHEREAS, on October 7, 2013, the Supreme Court of the United States heard argument in *Troice P. Willis of Colorado, Inc., et al.*, No. 3:09-cv-01274-N (N.D. Tex.) (the “*Troice* Petition”), a related action involving many of the same plaintiffs, defendants, and claims as this action; and

WHEREAS, the Supreme Court’s forthcoming decision in *Troice* will bear upon the issue of whether and, if so, how the Securities Litigation Uniform Standards Act (“SLUSA”) applies to this action;

THEREFORE, in the interest of efficiency and to preserve Court and party resources, the parties hereby stipulate and agree as follows, subject to the approval of the Court:

1. Defendants Bowen, Miclette & Britt, Inc. and Robert S. Winter (collectively, “Defendants”) waive formal service of process; *provided, however*, that Defendants expressly preserve and do not waive any and all applicable defenses contained in Rule 12 of the Federal Rules of Civil Procedure, including all jurisdictional and other challenges to litigation in this forum;

2. Except as provided in Paragraph 3 below, Defendants’ deadline to answer, move against, or otherwise respond to the Complaint in this action shall be February 14, 2014; plaintiffs’ opposition to any motion to dismiss shall be due April 15, 2014; and Defendants’ replies in further support of any motion to dismiss shall be due May 15, 2014; and

3. All SLUSA-related arguments with respect to the claims alleged in this action shall be deferred, and shall not be waived, pending the Supreme Court’s final determination of the *Troice* Petition, and Defendants shall have 60 days from the date of that determination to file a supplemental motion to dismiss brief regarding the applicability of SLUSA to this action; if

Defendants file such a supplemental brief, plaintiffs shall then have 60 days to file a response, and Defendants shall then have 30 days to file a reply.

Signed December _____, 2013.

David C. Godbey
United States District Judge

AGREED:

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